

THE LAW OFFICES OF
NEAL BRICKMAN, P.C.
420 LEXINGTON AVENUE, SUITE 2811
NEW YORK, NEW YORK 10170

NEAL BRICKMAN
JUDITH L. GOLDSBOROUGH
ETHAN Y. LEONARD
VIRGINIA A. REILLY
JASON A. STEWART

TELEPHONE:
(212) 986-6840

TELECOPIER:
(212) 986-7691

December 7, 2021

VIA ECF

Honorable David S. Jones
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Re: Jefferies, LLC and Jefferies Group, LLC v. Rick Alan Davidson
Adv. Pro. No. 19-1395 (DSJ)

Dear Judge Jones,

This firm represents defendant Rick Alan Davidson ("Davidson"). We write jointly and with the consent of counsel for plaintiffs Jefferies, LLC and Jefferies Group, LLC (collectively, "Jefferies"), we submit this letter to provide an update on the status of discovery in this matter and to request an extension of the current fact discovery deadline, which pursuant to Your Honor's last Order is December 17, 2021.

As detailed in the correspondence sent to Your Honor on October 15, 2021, the parties are in the midst of discovery and have served upon each other Interrogatories and Requests for the Production of Documents. In responding to those demands, Plaintiffs and Defendant collaboratively worked out issues regarding the Plaintiffs' obligations to conduct searches for electronically stored information ("ESI") and produced documents responsive to Defendants' document requests. That process included the exchange of proposed search terms and then the consensual narrowing of those terms based upon the voluminous number of responsive hits. Beginning on November 1, 2021 and continuing through November 15, 2021, Plaintiffs have produced, on a rolling basis, over 2,700 pages of documents along with a 16-page Privilege Log asserting privilege to 194 documents.

Defense counsel has undertaken efforts to review the produced documents and upon doing so raised an objection with Plaintiff's assertion of privilege on a number of those documents. The parties met and conferred on November 15, 2021, for the purpose of discussing the scheduling of depositions and addressing initial concerns about the document production. The parties further met and conferred on November 19, 2021, whereby a procedure was agreed upon concerning those objections to Plaintiff's assertion of privilege with a mutual commitment made to attempt to resolve those objections without burdening Your Honor on this issue of privilege, if possible.

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During our last meet and confer, both Plaintiffs and Defendant identified the anticipated deposition witnesses, and the parties are currently working to ascertain the availability for those respective witnesses, which including both party and non-party witnesses is expected to be 8 or 9 witnesses. During that meet and confer, the parties jointly agreed that, given the scope of remaining discovery in this matter, it is necessary to request an extension of the fact discovery deadline to January 31, 2022.

Your Honor may recall that in the joint discovery status letter dated October 15, 2021, the parties requested a conference to address the anticipated challenges with meeting the existing discovery deadline, or in the alternative, the same six-week extension of the existing discovery deadline which we are seeking herein.

We thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jason A. Stewart', with a stylized, flowing script.

Jason A. Stewart

cc: Alan J. Brody, Esq. (via electronic mail)